P 1

Scott. H.-27—40,000—14-10-30.

(193) Department.

SERIES.

G.O. No. 3041

DATED

[Despatch Abstract.]

1

C.F. 31—14,000—7-7-37.

Revenue **DEPARTMENT.**

CURRENT No. (Rev 7665 F-

SECRETARY TO GOVERNMENT
22 OCT 1938
REVENUE DEPARTMENT

Received _____ 19 *Registered* 24.10.1938

Subject.

Alienation - Land and Revenue - (South Kanara) - Udipi taluk Kadekar village - S.No. 76/1A and 1B - Cremation and burial ground - Municipal Council, Udipi - Recommended

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Reference. No. B - 4542/38-3.

Station Madras, *Dated the* 17th October 1938.

From

F.R. Brislee Esq.,I.C.S.,
Secretary,
Board of Revenue.

F.W. Stewart Esq.,M.C.,C.I.E.,I.C.S.,
Commissioner of Land Revenue.

Read the following.-

Letter from Sri Rao Bahadur M.V. Vellodi, B.A., Collector of South Kanara, Ref.C. 543-38-B.3 dated 15th June 1938.

Reference.-

At the instance of the Collector of South Kanara the Board recommends the alienation of the plot of land comprised in S.Nos. 76-1A and 76-1B of Kadekar village, Udipi taluk both measuring one acre in favour of the Municipal Council, Udipi, for use as the site of a cremation and burial ground as shown below.-

76/1A Cremation ground .. 50 cents
76/1B Burial ground .. 50 cents

2. S.No. 76/1 was registered as a burial ground in the accounts. The District Health Officer has inspected the site and stated that there is no objection to the plot being used both as a burning and burial ground. The -- portions required for each purpose have been separately subdivided. There are trees on the land worth about Rs. 0-14-0 and the Municipality has already credited this amount into the Udipi Sub Treasury.

3. The alienation will be free of charge for the occupancy right and free of ground rent but subject to the payment of Rs. 0-14-0 being the value of the trees -- standing on the land and subject also to the following conditions to which the alienee has agreed:-

(1) The land shall be used as the site of a cremation and burial ground and for no other purpose.

(2) No [buildings] structures other than those necessary for the use of the land as cremation and burial ground [for the purpose] shall be [constructed] erected on the land without the previous permission of the Collector of the district.

(3) S.No. 76/1A shall be screened off with a mud wall six feet high within two years from the date of the grant.

(4) The cremation and burial grounds shall be laid out within two years from the date of the grant.

(5) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any -- improvements that may have been effected or other works that may have been executed on the land by the grantee. If -- there are buildings on the land, the Government may direct the grantee to remove them.

(6) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Govern-

Government the land is required for a public purpose, or for conducting mining operations. In the event of such resumption or in the event of the acquisition of the land for any reasons, the compensation payable for the trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less.

(7) In the event of resumption under condition (6) if there are buildings on the land the Government may at their option either,

(a) purchase the buildings, or

(b) direct the grantee to remove the buildings.

(8) In the event of the resumption of the land followed by the purchase of the buildings under condition (7)(a) or in the event of the acquisition of the land for any reason the compensation payable for buildings or other improvements shall in no case exceed the initial cost or the value at the time of resumption or acquisition, which ever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Government in respect of [buildings constructed] structures erected in contravention of condition (3). (2)

(9) In the event of the grantee refusing to remove the buildings when so directed under condition (5) or (7) (b) the Government may remove them and realise the cost of removal by the sale of the materials.

(10) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee.

(11) The market value of the lands shall be collected if at any time it is found that the grantee derives a substantial in-

income from them.

(12) Full ground rent shall be levied if at any time any rent or fees are charged for the use of the cremation and burial ground or if any of the conditions of the alienation are infringed. In the latter case, the ground rent shall be levied from the date of the infringement.

(13) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which -- exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

(14) The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(15) The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood -- trees are preserved and are not tampered with; and

(16) In the event of the infringement of, or failure to observe, any of the conditions (13) to (15), the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall -- also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

S. Ramachandra Rao
for Secretary. 20.10.35

To Government, Revenue Deptt.

5 7

Application for the alienation of Land in which the proprietary right belongs to the State.

District: South Kanara.

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1. Description and area:	S.Nos.76/1A & 1B of Kadekar village, Udipi Taluk, measuring each 50 cents = Total 1 Acre registered as Poramboke.
2. Market value:	Rs.1000/-.
3. Alienees and purpose of alienation:	Municipal Council, Udipi. S.No.76-1A for a public cremation ground, 76-1B for a public burial ground.
4. Collector's remarks:	Recommended.

South Kanara Collector's Office,
Mangalore, 15th June 1938.

For Collector.

16.6.38.

2 5

Application for the alienation of Land Revenue payable to Government.

District: South Kanara.

*****

1. Description and area:	S.Nos.76/1A & 1B measuring each 50 cents in aggregate 1 Acre in Kadekar, Udipi Taluk, registered as Poramboke.
2. (a) Annual ground-rent.	(a) Rs.11.4.0.
(b) Capitalised value (25 times ground-rent).	(b) Rs.281.4.0.
3. Alienees and purpose of alienation:	Municipal Council, Udipi. S.Nos.76-1A for a public cremation ground, 76-1B for a public burial ground.
4. Collector's remarks:	Recommended.

South Kanara Collector's Office,
Mangalore, 15th June 1938.

For Collector.

16.6.38

District South Canara
Sub Kadipa

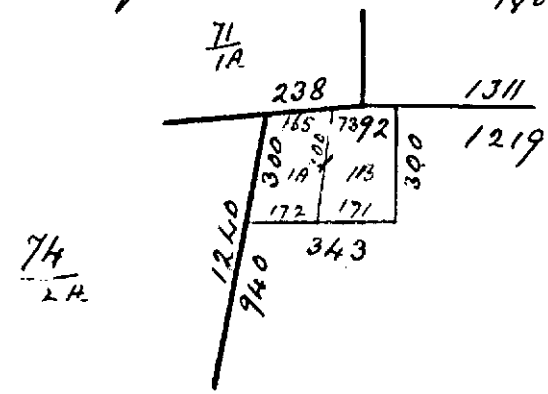
Fieldno 76/1

Village 18072
Grama Kadekar

9

18071 Kidiyur

18069 Mudamdumber



Index

Kadda 76-1 Por. Burial ground

2 G.R Forest-Panchayat

74-2A dry. Gunkuta Subba Hegde

71-1B dry. Raghavendra Rao.

Scale 1/5 inch 1 chain

14.4.38

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Rev Dept

Alienation – Land Alienation – (S. Kanara) – Udipi Tk – Kadekar village – S. Nos 76-1-A & 76-1-B – Cremation and burial ground – Mt Bd, Udipi.

cf b. No 7665 F/38] From the Bd of Rev, Refce No B 4562/38-3 d/17.10.38

To U.S.

Please see the Bd's Refce in the cf. The Bd recommends the alienation of S. Nos 76-1-A and 76-1-B of Kadekar village, Udipi Tk, S. Kanara Dt, in favour of the Mt Council, Udipi for use as the site of a cremation and burial ground.

p 1 cf

2. Conditions (2) & (8) of the conditions of alienation may be amended as shown in pencil.

p 1 & 2 & 3 cf

cf conditions (3) & (6) at p 1 & 2 & 3 cf; G O 2458 Rev 21-10-35 (E)

3. The ~~draft~~ alienation may be sanctioned subject to the amendment proposed in para 2 above. A draft order is submitted for approval. It may be sent to A. A, E.H. and Fin for acceptance.

27.10.38.
W
28/10

Why has his case been subs to the Govt?
W 29/10.

TO U.S

Please see copy of memo No 35-30 & 39.4

dated 25-10-38). The DC were informed that there was no objection to action being taken for the disposal under the existing rules of application for the alienation of Govt. or land reserved in case in which the extent of the land concerned was less than one acre. In the present case extent proposed for alienation is one acre & hence the proposal has been submitted to the Govt for sanction

25/10

31/10

L.A.

E&P.H.

Fin

L. A. Deptt

The draft order maybe accepted in this Deptt and the file passed on to E&PH Deptt

7.11.38

E&PH

E. & P. H. dept

The draft may be accepted and the file passed on to Finance

8/11

8/11

3/11/38

Revl. O. No. 7665-F/38-1

31.10.38.

SECRETARY TO GOVERNMENT
1-NOV1938
LOCAL ADMINISTRATION DEPT.

SB
1/11.

SECRETARY TO GOVERNMENT
9-NOV 1938

L. A. Ord No. 32454-I-B

8.11.38

H.P.
8/11

8/11/38

8/11
-11-38

ASSISTANT SECRETARY TO GOVERNMENT
14 NOV 1938
FINANCE DEPT.

Ex. Fin. No. 18667 7/38-1

12-11-38.

4102 PS

Finance (Accts

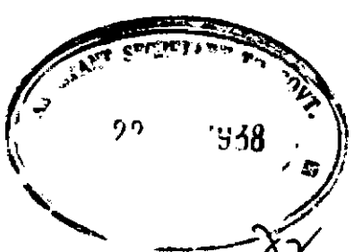
The draft order may be accepted and the case returned to Rev.

18.11.38.

21.11.38

Fin no 41077 Accts
21/11/38

Rev



Rev 8443 F
22.11.38

May issue

S.

Cir: 23-4-38

H.h. Rev. 25/11/38.

22/28/111

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Rev. Sectt. 23—3,006—23-12-36.

GOVERNMENT OF MADRAS.

Received _____ 193 . *Registered* _____ 193

Abstract.

REVENUE DEPARTMENT.

G.O. No. Ms. 3041. **Dated the** 28.11.38.

READ the following :—

1— L.No 7665-F/38 From the Collector, Nilgiris Lr.No B4576/38-3 dt 17.10.38

ORDER—

The Government sanction the alienation of S.Nos 76-1-A and 76-1-B each measuring 50 cents in Kadekar village, Udagai Tk, S.Kanara Dt in favour of the Hd Council, Udagai for use as the site of a cremation and burial ground as noted in the margin

S.No 76-1-A- Cremation ground
S.No 76-1-B- Burial ground

2. The alienation will be free of charge for the occupancy right and free of ground rent but subject to the payment of Rs-14-0 (rupees fourteen) being the value of the trees standing on the land and subject also

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~~granted~~ subject to the following conditions :—

(1) The land shall be used as the site of a cremation and burial ground

and for no other purpose.

~~The buildings shall be constructed within from the date of the grant.~~

(2) No structures other than those necessary for the use of the land as cremation and burial ground shall be erected on the land without the previous permission of the Collector.

(3) S. No 76-1-A shall be screened off with a mud wall six feet high within two years from the date of the grant.

(4) The cremation and burial ground shall be laid out within two years from the date of the grant.

3 27

(5) The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee ~~(and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant)~~. If there are buildings on the land the Government may direct the grantee to remove them.

(6) The Government may resume the land, wholly or in part, with any buildings thereon, if in the opinion of the Government the land is required for a public purpose or for conducting mining operations. ~~‡~~In the event of such resumption or in the event of the acquisition of the land for any reason, the compensation payable for the ~~land and~~ trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less.~~‡~~

(7) In the event of resumption under condition (6) if there are buildings on the land, the Government may, at their option, either—

(*a*) purchase the buildings, or

(*b*) direct the grantee to remove the buildings.

(8) In the event of the resumption of the land followed by the purchase of the buildings under condition (7)(a) or in the event of the acquisition of the land for any reason, the compensation payable for buildings or other improvements shall in no case exceed ~~(the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, together with)~~ the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Govt in respect of ~~both~~ structures erected in contravention of condition (2)

(9) In the event of the grantee refusing to remove the buildings, when so directed under condition (5) or (7)(b) the Government may remove them and realize the cost of the removal by the sale of the materials.

(10) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee. ~~(and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant).~~

(11) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land.

(12) Full ground rent shall be levied if at any time any rent or fees are charged for the use of the cremation and burial ground or if any of the conditions of alienation are infringed. In the latter case, the ground rent shall be levied from the date of the infringement.

(13) The Govt reserve to themselves the right to all sandalwood trees and their branches and roots ~~whether existing~~ at the time of ~~the~~ as well as

those which may grow subsequently on the land and the Govt shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure The grantee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Govt

(14) The grantee shall take all reasonable measures to the satisfaction of the Govt for the protection of the sandalwood trees from theft or damage and for the careful protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(15) The grantee shall take steps to see that the marks made by the Officers of the Govt on the sandalwood trees are preserved and are not tampered with.

(16) In the event of the infringement of, or failure to observe any of the conditions (13) to (15) the grantee shall pay to the Govt such compensation as is determined by the Govt for any loss or damage caused by such infringement or failure on its part. The Govt shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Govt. In that case the grantee shall not be entitled to any compensation whatever

27-10-38

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31/10.

To The Surveyor L. A. Officer S. & S. H.

Dpd. by Van / Post / Messenger
Dpr.